

REMARKS

Upon entry of the present amendment, claim 1 will be amended so that claims 1-9 and 11-20 will remain pending, because claim 10 is a canceled claim having been canceled in a previous amendment. Claims 14-20 stand withdrawn from consideration as being directed to a non-elected invention.

By the amendment herein, claim 1 has been amended to the filler comprising the reinforcement fibers that have been at least one of ground or cut as suggested by the Examiners during a November 12, 2009 telephone interview.

Reconsideration of the rejections of record and allowance of the application in view of the following remarks are respectfully requested.

Statement of Interview

Applicant expresses appreciation for the courtesies extended by Examiner Eric Hug and Examiner Saeed M. Huda during a November 12, 2009 telephone interview.

During the interview, Applicant's representative once again discussed that Skinner merely discloses that the filler and reinforcement fiber can each comprise glass. It was pointed out that Applicant's claimed subject matter explicitly recites that the filler comprises the reinforcement fibers that have been at least one of ground and cut so that the filler is of same actual material as the reinforcement fibers. Applicant's representative requested the Examiners' assistance with regard to reaching agreement as to claim language that would avoid the Examiner's claim interpretation at page 2 of the Office Action wherein it is asserted that the filler in the art used in the rejection comprises the same actual material as the reinforcement fibers in that both are glass. Applicant's representative indicated that it is believed that independent claim

1 was clear prior to the previous amendment, and that claim 1 was amended to include language as discussed during a previous interview. After review of the record, the Examiners indicated that the amendment herein will avoid the rejections of record.

Claim of Foreign Priority

Applicant once again requests that the Cover Sheet of the next communication from the Patent and Trademark Office be completely filled in to acknowledge the claim of foreign priority and receipt of all of the certified copies in this national stage application.

Response To Restriction Requirement

Claims 14-20 have been withdrawn from consideration as being directed to a non-elected invention.

In response, Applicant once again traverses the requirement because the basis for the requirement is not clearly presented. The Examiner is reminded that the requirement contends that one or more reasons apply. However, the requirement does not specifically indicate which of the one or more reasons is applicable under the present circumstances. In this regard, Applicant notes that to support a requirement for restriction, the reasons should be stated with respect to the claimed subject matter, and should provide a clear indication of the reasons for restriction.

In any event, rejoinder of non-elected claims 14-20 is respectfully requested upon allowance of the elected claims.

In view of the foregoing, it is respectfully requested that the Examiner reconsider the requirement for restriction, and withdraw the same so as to give an examination on the merits on all of the claims pending in this application.

Response To Art-Based Rejections

The following three art based rejections are set forth in the Office Action.

(a) Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(a) as being anticipated by US 2004/0130067 A1 to Skinner et al. (hereinafter "Skinner").

(b) Claims 3, 5, 6, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0130067 A1 to Skinner, as applied to claim 1 above, and further in view of U.S. Patent No. 6,461,457 B1 to Taylor et al. (hereinafter "Taylor").

(c) Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0130067 A1 to Skinner, as applied to claim 6 above, and further in view of U.S. Patent No. 4,556,529 to Muser et al. (hereinafter "Muser").

(d) Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0130067 A1 to Skinner, as applied to claim 6 above, and further in view of U.S. Patent No. 3,962,009 to Minami et al. (hereinafter "Minami").

(e) Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0130067 A1 to Skinner in view of U.S. Patent No. 3,962,009 to Minami as applied to claim 8 above, and further in view of U.S. Patent No. 4,025,686 to Zion.

(f) Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 2004/0130067 A1 to Skinner in view of U.S. Patent No. 4,556,529 to Muser as applied to claim 7 above, and further in view of U.S. Patent No. 4,025,686 to Zion.

In response to these grounds of rejection, Applicant's independent claim 1 is directed to a method for producing a fiber-composite material for producing fiber-composite components, comprising combining reinforcement fibers, resin, and a filler, the filler comprising the reinforcement fibers that have been at least one of ground or cut. Moreover, Applicant's dependent claims recite additional patentable features in combination with the features of independent claim 1. As stated by the Examiners during the above-noted telephone interview, the rejections of record should be withdrawn because the various combinations of features recited in Applicants' rejected claims are not taught or suggested by the prior art used in the rejections.

Thus, amongst the features recited in Applicant's claims, the claims include the filler comprising the reinforcement fibers that have been at least one of ground or cut. In contrast, none of the documents used in the rejections of record discloses that the filler comprises the reinforcement fibers that have been at least one of ground or cut. Thus, whether or not one having ordinary skill in the art would have combined the disclosures of any one or more of Taylor, Muser, Minami and Zion with Skinner, Applicant's claimed subject matter would not be at hand. Accordingly, the rejections of record are without appropriate basis and should be withdrawn, because any combination of these documents would not teach or suggest each and every feature recited in Applicant's claims at least for the reason set forth above.

Therefore, any combination of Skinner, Taylor, Muser, Minami and/or Zion does not teach or suggest the combination of features recited in Applicant's independent claim 1, or Applicant's claims 2-9 and 11-13 which include the subject matter of claim 1. Moreover, each of these claims is patentable for the combination of features recited therein.

Still further, the rejection of claim 7 improperly states that its basis for rejection is for the reasons stated with respect to claim 6. However, the rejection of claim 6 includes Taylor to support the rejection; whereas, the rejection of claim 7 does not include Taylor. Accordingly, the rejection of claim 7 is clearly without appropriate basis.

Applicant therefore submits that the rejections of record are without appropriate basis and should be withdrawn.

CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the restriction requirement and the rejections of record, and allow each of the pending claims.

Applicant therefore respectfully requests that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability.

Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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